

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL RETREAT HELD
TUESDAY, JANUARY 25, 2022, AT 8:30 A.M. IN THE COTTONWOOD HEIGHTS CITY
COUNCIL WORK ROOM LOCATED AT 2277 EAST BENGAL BOULEVARD**

Present: Mayor Mike Weichers, Council Member Scott Bracken, Council Member Shawn E. Newell, Council Member Ellen Birrell, Council Member Douglas Petersen

Staff Present: City Manager Tim Tingey, City Attorney W. Shane Topham, Records Culture and Human Resources Director Paula Melgar, Community and Economic Development Director Michael Johnson, Finance and Administrative Services Director S. Scott Jorges, Police Chief Robby Russo, Public Works Director Matt Shipp,

1. Welcome and Introduction.

Mayor Weichers called the meeting to order at approximately 8:30 a.m. He expressed gratitude to City Manager, Tim Tingey, and Staff for their efforts and to those in attendance.

Mr. Tingey reviewed the City Council Retreat schedule and noted that the items discussed are not voted on but will move forward with the consensus of the Council. Direction received is not indicative of a final decision having been made but allows Staff to work on proposals and return to the Council while conducting research and providing information during regular City Council Meetings.

2. Review of Year-End Report and 2021 Strategic Initiative Progress.

Mr. Tingey highlighted the Year-End Report which included the following:

- The newsletter was shifted over to being designed completely in house;
- Weekly reports were provided;
- Legislative policy work was established with lobbyists;
- 152 land use applications were processed along with 224 new businesses;
- Northern Gravel Pit Development Plan was adopted in a phased approach;
- The Accessory Dwelling Unit Ordinance (“ADU”) was adopted;
- Ferguson Park grants were procured;
- The Parks, Trails, and Open Space Master Plan was adopted;
- The Sustainability Master Plan was adopted;
- Community sustainability programs were facilitated;
- The Cottonwood Heights Police Department (“CHPD”) maintained full staffing;
- A new body cam system was implemented and joined with a valley-wide partnership on health providers;
- A CHPD enhanced mental health crisis intervention program was implemented;
- A Wellness Program was established;
- The Public Works Department completed 4,000 miles of street sweeping;

- The Storm Water Fee was implemented;
- Rights-of-way, snow plowing of streets including potholes, and windstorm clean up;
- 542,000 square feet of road reconstruction;
- Records, Culture, and Human Resources implemented ranked-choice voting;
- Facilitated 116 records requests, recorded meetings, and implemented new software;
- Market promotion processes including market adjustment for the Police Department;
- Modifications made to software platform;
- Butlerville Days implemented;
- Finance and Information Technology received financial awards including the Distinguished Budget and Financial Assessment Awards;
- The implementation of software system updates; and
- Information technology implementation includes backup recovery and server migration, two-factor authentication for the Police Department, virus reporting, redundant internet, and facilitating remote City Council Meetings.

Mr. Tingey reviewed the 2021 Strategic Initiative process and included the following:

- Stormwater collection began in January 2021 while staff continues to pursue numerous grants;
- Evaluation of fees in the budget process where they were able to make additional reductions;
- Community Development and Renewal Agency (“CDRA”) funding included two project areas;
- Adoption of year three of the five-year plan to enhance roadways included capital pavement projects, roadway service projects, and striping;
- Staff compensation was implemented and included cost of living, merit, health, and dental increases;
- Increases in Valley Emergency Community Center (“VECC”);
- Ferguson Canyon overflow parking and park;
- Unified Fire Authority (“UFA”) contract; and
- The Bonneville Shoreline Trail is moving forward with the securing of additional funding through the State Legislative process. The City was awarded a grant and was moving forward with acquisition.

Capital Infrastructure items included the following:

- Addressing stormwater issues on Timberline, Prospector, and Quicksilver with anticipated completion in the spring;
- Highland Drive and Creek Road Project match. A \$2.4 million grant was received several years prior. It was felt that there was more opportunity to use the funds on more pressing community projects.
- The 1700 East Sidewalk Project was in the research and design phase. No grants were awarded. It was identified as a project that has been needed for several years.

Public Works items were as follows:

- The Public Works Building preliminary review was underway;
- Research was conducted on the trails along the Murray Powerline Corridor and did not receive direction to move forward. Once improvements are conducted along Wasatch Boulevard there will likely be a nearly duplicate trail;
- Doverhill Drive property acquisition was negotiated and a Development Agreement was forthcoming;
- A grant was secured for solar panels at City Hall which was augmented with available funding from the General Fund;
- The Renewable Energy Act Contribution Partnership was implemented at a cost of \$33,000. It will coincide with multiple cities and Rocky Mountain Power in moving forward sustainability goals over time; and
- The Forbush Cemetery annual contribution of \$2,500 to the Daughters of Utah Pioneers who provide cemetery maintenance.

Legislative options were as follows:

- Preparation of Chapter 14 Code Revisions;
- Nuisance and animal control issues;
- Planned Development District (“PDD”) Ordinance update;
- Sensitive Lands Ordinance in process;
- Business License Ordinance in process;
- Consider adoption of the Parks, Trails, and Open Space Master Plan was completed;
- Completion of the Sustainability Master Plan;
- Finalize community and reinvestment areas located in the Fort Union and Hillside Drive area as well as the gravel pit. Staff held preliminary meetings with taxing entities with one being more favorable than the other;
- Research conducted on safe bike route options was discussed. It was noted that challenges come with resident pushback as the lanes may eliminate on-street parking.

Police Advisory Committee issues were identified as follows:

- Public Safety Committee consideration;
- Regular meetings with diversity organizations will continue;
- Increased diversity and de-escalation training was implemented;
- CHPD model modification “Solve the Problem” review
- Police officer overtime allowed for snow-related traffic.

General Discussion Items included:

- Fiberoptics discussions will continue;
- Special Event Request for City Hall reimplemented;
- Ranked Choice voting implemented;

- An Audit Committee was continued;
- In-person City Council Meetings have been restored;
- A Storm Water Fee Committee was created and the Storm Water Fee implemented; and
- The Equal Rights Act Resolution was passed.

3. General City Council Discussion Items.

Mr. Tingey reviewed general City Council discussion items and stated that the City Council Policy and Procedures document has been approved and is outlined in the City Code. He and City Attorney, Shane Topham, developed proposals on possible changes and after receiving direction and will bring the proposed changes back to the City Council for consideration.

Mr. Tingey highlighted general policies regarding travel, training, and consequences and the possibility of requesting mileage reimbursement. He was willing to work with Council Members and Staff to make necessary travel arrangements when needed. Minor changes were noted. Mr. Topham stated that the document has evolved since the incorporation of the City in 2005 and formalizes the policies into a written document. Mr. Tingey stated that computer and telephone equipment are defined in the policy and emphasized the importance of using equipment provided by the City. The proposed language states that a privately owned computer may not be used to conduct City business and must be addressed on a private smartphone or City-issued computer. Mr. Topham remarked that this has become an issue and there is a claimant in a lawsuit from a former Council Member who believes it is improper for the City to request that she bring her private computer in to be searched. This is in response to a Governments Records Access and Management Act (“GRAMA”) request from a third party. He emphasized the importance of only conducting City business on a City-issued computer. Mayor Weichers supported the policy request.

With regard to media relations, Mr. Tingey reported that the Mayor is the designated spokesperson for the Council. Interaction with City Staff is acceptable at times, but he emphasized that discussion or requests are made through him who provides direction to Staff.

City procedures for public comment at City Council meetings were next discussed. Mr. Tingey stated that when creating an agenda for Council Meetings, the requirements specify that any Council Member, with the consent of at least one other Council Member, including the Mayor, may request an item be added to an agenda. The preferred language specifies the approval of one or two Council Members for a total of three. Council Member Bracken supported the language change and believed that items that are brought up a second time should require a majority to be placed on the agenda to eliminate repetition. Mayor Weichers emphasized the need to have three or more votes to avoid taking away from the efficacy of the meeting.

Mr. Topham explained that the Mayor sets the agenda. His understanding was that every Mayor wants to ensure that the Council is moving in the same direction and being heard. As discussed, if an issue becomes a recurring theme, it can be disruptive and a waste of time. He suggested that the Mayor set the agenda and have the ability to make a decision as to whether an item moves

forward. Mr. Tingey stated that he will forward changes to the Council and allow time for review prior to it coming to a City Council vote.

Mr. Tingey asked for input regarding Council communications sent out each Friday with attachments and a memo highlighting items of the week. It was the consensus of the Council that communication was going well and they were pleased with the timing and information presented.

Mayor Weichers suggested identifying urgent items in the text of the email sent to the city council.

Land Use and Zoning review was next discussed. Community and Development Director, Michael Johnson, stated that land use is an advisory level for how a municipality envisions changing over time. Land use envisions future land uses throughout the City and is intended to guide Council policy and legislative decisions such as zone changes. Specific examples were given.

Mr. Johnson stated that zoning, by contrast, is enforceable law on any given property within the City. Every parcel is assigned a zoning designation with a corresponding chapter in City Code. That chapter dictates which uses are allowed, building setbacks, heights, landscaping, lighting standards, and other regulations that specify what can and cannot be done on a property. Zoning is enforceable and is regulated by the Zoning Ordinance. A Zoning and Land Use Map was displayed. Mr. Johnson stated that they also review whether a land use decision is administrative or legislative, which determines whether the Council has a role in approval. Examples of administrative uses included building permits, business licenses, conditional use permits, and site plan reviews for commercial development. Legislative items result in modification of the existing laws of the City such as amending land use ordinances or zoning, making changes to a zoning designation of a property, a land use map amendment, area master plans, the General Plan, or documents that add, change, or amend new restrictions or ordinances.

Council Member Bracken emphasized the importance of discerning administrative and legislative issues and understanding administrative is proof beyond a reasonable doubt where legislative is based on existing laws within the City.

Mr. Johnson stated that State Code regulates and establishes the framework between administrative and legislative. The Utah State Code that guides land use is found in Title 10 Chapter 9A, The Land Use Development and Management Act ("LUDMA"), which authorizes and governs land use and zoning regulations in cities and establishes mandatory requirements that local governments must follow. Examples were provided. More recently, LUDMA has been taking away authority from municipalities with the most recent example being Accessory Dwelling Unit ("ADU") legislation that requires all cities to allow ADUs in all single-family zones. Staff is tasked with ensuring that all requests clearly demonstrate Code compliance but are not requiring more than State code permits.

Mr. Topham stressed that it is important to remember the City has no inherent land use authority as all legal ability to control land use is derived from the State. Statutes are enacted by the Legislature and what they give, they can take away. He reviewed a recent survey of citizens asking to weigh in regarding growth in Utah. The results showed that a significant number expressed great concern with the direction in Utah in terms of growth. There were fears that if not stopped,

quality of life in the State will be adversely impacted. He emphasized that participation in the process in support of the City's main lobbying group, The Utah League of Cities and Towns ("ULCT"), is critical.

Council Member Petersen felt strongly that parking in new projects needs to be addressed. Mr. Johnson confirmed that within the Ordinance, the Council could direct the modification of parking requirements for certain zones or projects. The City can look at increasing parking requirements for specific developments or situations. He confirmed that the General Plan will be presented in an open house format in March and go through the full public process prior to making a determination.

Council Member Newell asked if, based on the current Land Use map, there are areas being considered for high-density housing. Mr. Johnson referenced the Land Use Map and located designation within the City. Council Member Birrell suggested that they develop a way to create a design to discourage drive-thrus in Cottonwood Heights.

Mr. Tingey stated that land use-related traffic and density issues in the Canyon Center area are of concern. He indicated that the Mayor and others have suggested that the City initiate its own traffic study for the area to look comprehensively at the impacts in the gravel pit associated with that area. Mayor Weichers is in favor of a new study since the most recent study was conducted in 2016. He believed that a comprehensive study would be beneficial.

The City Council took a short break.

Mayor Weichers reviewed the Council availability calendar and stated that it will be shared similar to an Outlook calendar, and they will coordinate any anticipated absences.

Ranked Choice voting was next discussed. Mr. Tingey asked for Council input regarding moving forward. Mayor Weichers believed that holding a primary election allows an obvious choice between two candidates and believed ranked-choice voting did not allow for that choice.

Council Member Birrell inquired about recent voter turnout and how it worked for constituents. She recommended that if they choose to stay with ranked-choice voting that the financial disclosure be made in advance of the mail-in ballots being sent out. She believed that Salt Lake County could provide clarity to voters in terms of how they may rank candidates or vote for more than one. Council Member Bracken believed ranked-choice voting works best with mail-in ballots that give constituents time to research candidates rather than feeling an urgency when voting in person.

Citizen feedback indicated that there was confusion in terms of the number of candidates they were allowed to vote for and the dynamics of the final determination. Providing education throughout the community was discussed. Council Member Newell stated that ranked-choice voting allows for non-partisan elections to look across party lines to determine the best candidate. It was suggested that timeframes be altered to reflect mail-in voting and allow for at least one filing of a financial disclosure prior to mailing out ballots.

Mr. Tingey next reviewed the Y2 Analytics Survey and stated that Kyrene Gibb will be attending future meetings. The 2019 survey included a random selection of over 1,069 resident responses. Questions included their feelings about the quality of life in the City and their approval or disapproval of the Mayor and City Council. The survey questions were reviewed.

Mr. Tingey next addressed fiberoptic options within the City. Staff has met with multiple fiberoptic groups as well as UTOPIA Fiber who detailed the procedure for burying the utility. The model focuses on a bond that the City would back with a take rate. There is a potential financial long-term obligation to back bonds that would cost the City \$100,000 to \$120,000. Discussions with Google Fiber have also taken place, which would require a shallow dig that would have a greater impact on the roads and require significant maintenance. Council input was requested. Mr. Tingey confirmed that there is an interest with several groups wanting to do a build-out of the entire City with a model considered by Google Fiber, Century Link, UTOPIA Fiber, and Comcast.

Council Member Newell was in favor of hearing from each group to further evaluate their proposals. The City Council supported learning more from those who are willing to provide options to the City. Mr. Tingey will facilitate inviting groups to attend future council meetings.

4. Review of Five-Year Financial Projections and Capital Improvement Plan by Tim Tingey and Scott Jurges.

Mr. Tingey presented the Five-Year Financial Projections and Capital Improvement Plan and emphasized the importance of understanding where the City is financially. He stated that Finance and Administrative Services Director, Scott Jurges, prepared a presentation that requires an extensive amount of work to provide the Financial Projection Plan.

Mr. Jurges presented the Five-Year Financial Projections and Capital Improvement Plan and stated that the property tax history average increase per year was approximately \$55,000. Property tax increases come from an actual rate change with the other coming from new builds within the City. The average annual increase outside the property tax year is .8%. Sales taxes reflect increases and decreases from the past year with an average increase through 2020 of 4.5% with an increase in 2021 of 17.5%. Collections for the current fiscal year through November 2021 are 11% and are anticipated to exceed the proposed budget and show sales taxes as the top revenue source.

The present fiscal year began with a fund balance of \$5.480 million with the anticipation that \$600,000 will be utilized. A visual budget presentation was referenced. The \$3 million of under-expended or revenue variance included \$2.1 million in sales tax revenue that was not budgeted with another under expenditure of \$1 million. The intent was to keep expenses low while dealing with the COVID pandemic. Mr. Jurges further explained that the State of Utah requires the City to have a minimum fund balance of 5% in the General Fund. Cottonwood Heights has elected to add 1% for a 6% fund balance. The average under expenditure in a normal year would be 3% to 5%.

Mr. Jurges reported that the 2021-2022 sales tax budget projection assumptions reflected an increase of \$800,000. He believed they may come in \$500,000 above that projection. He

suggested that the Transient Room Tax be adjusted from the budgeted \$35,000 to \$100,000 for the next year. The Energy Franchise Tax was anticipated to be slightly higher than budgeted.

Overall expense changes projected a reduction of \$69,000 due largely to the refinancing of the bond. He expected to end the year close to the beginning fund balance of \$7,928,000. Budgeted rollover numbers were discussed.

Mr. Jurgens reviewed the Cost-of-Living Adjustment (“COLA”) increases to the National Consumer Price Index (“CPI”) for the calendar year. He confirmed that it closed on January 12 at 7%. The city has used the CPI Index for the COLA for at least the previous six years.

Merit issues were next discussed. Mr. Jurgens stated that a 12-step plan has been implemented and includes the cost of moving an employee between levels. The market adjustment for police officers was implemented in October with three months remaining. The cost was \$230,000 with health and dental costing an additional \$50,000. Municipal elections and the Public Works Building were as budgeted. There was a placeholder of \$200,000 or a 5% increase for the Unified Fire Authority (“UFA”). Mr. Jurgens reported that \$517,000 was put into Capital Projects Fund predominately to fund the five-year road plan at a cost of \$2.75 million. An unidentified increase of \$400,000 was due to anticipated price increases in the area where the City contracts for items or services due to inflation. A one-time transfer of \$700,000 to the Capital Project Fund was proposed for open space in 2021-2022 with projected changes to the debt service schedule of \$69,000.

Mr. Jurgens reported that when taking all things into account, the budget goes from a projected beginning balance of \$7.9 million and the fiscal year will end with \$6.3 million for a use of \$1.6 million. The projected fund balance over the next five years was presented. He explained that the General Fund is where the main source of funds is held. Money is then transferred out to other funds that are fully dependent on the General Fund for revenue through their transfers.

The process for determining property tax was reviewed. Mr. Jurgens stated that the current property tax rate for Cottonwood Heights is 0.001740%. Examples of property values in the City were described. He reported that when overlapping tax values are reviewed, more than half of the City’s property tax comes from The Canyons School District at 53%, Salt Lake County at 14%, Cottonwood Heights at 14%, and the Recreation District at 8%. The Salt Lake County Library, Jordan Canyon Debt Service, Central Utah Water, Cottonwood Sewer District, and Mosquito Abatement District make up the remaining tax. Even with a dramatic tax decrease, the remaining tax bills will not change. He stated that projects such as the gravel pit will benefit the City by bringing in additional tax revenue to the City.

The Council took a one-hour lunch break.

5. Strength, Weakness Opportunity and Threat (“SWOT”) Analysis.

Mr. Tingey presented the Strength, Weakness, Opportunity, and Threat Analysis (“SWOT”). Strengths in the community included location, fiscal responsibility, ease of access, and beauty. Weaknesses within the community included the proximity to areas of pass-through traffic, safety, lack of public transportation, and limited walkability.

Opportunities provided by the City were next reviewed. The Council Members believed that opportunities included Hillside Plaza, the gravel pit, enhanced neighborhood sidewalks, safe routes to school, developing active transportation, the redesign of Wasatch Boulevard, and collaboration with surrounding communities for commuter solutions. Threats to the community included lack of adequate funding, congestion associated with ADUs, density, air pollution, and water.

6. Strategic Initiative Discussion – 2022.

Mr. Tingey reviewed the Strategic Initiative agenda and reported that Cottonwood Heights is one of few municipalities that have not implemented the Telecom Franchise Tax with anticipated revenue of \$350,000. The tax would total 3.5% of an individual cell phone bill. Revenue options were outlined. Mr. Jurgens reviewed the implementation process. He confirmed that the Telecom Franchise Tax would be collected by the State Tax Commission for a minimal fee. Mayor Weichers believed it would be beneficial to postpone the implementation of the Telecom Franchise Tax until they are faced with a financial challenge and additional funding is needed. It was the consensus of the Council to postpone implementation.

The City continues to be aggressive when applying for as many grants as possible. Mr. Tingey stated that current grants include Tourism, Recreation, Cultural, Convention (“TRCC”), Zoo, Arts, and Parks (“ZAP”), Wasatch Front Regional Council (“WFRC”), Safe Walking Routes, outdoor recreation, open space, land conservation, and corridor preservation funding opportunities. The current fee schedule was reviewed. He confirmed that an analysis of fee processes was conducted with an increase to some and a decrease to others. It was not Staff’s intention to provide another fee schedule update unless otherwise directed by the Council.

The Community Development Renewal Agency (“CDRA”) was next discussed. It falls under State Code where cities are allowed to create a separate entity within their city. An area within the City may be designated as a Redevelopment Area (“RDA”) with the agreement of taxing entities through interlocal agreements to allow for the creation of an RDA. Once created, the tax base value will go toward the taxing entities and any new investment that comes into the area above the base value goes to the RDA for projects within the area. Mr. Tingey explained RDAs are located at the Canyon Corporate Center with another at Fort Union Boulevard and 1300 East. With \$1.7 million in those two areas, it is their intent to provide the City Council with a list of potential projects within those locations. Public parking at the gravel pit and walkability at the Hillside Plaza was suggested. He noted that the State Legislature and Governor are aiming to limit the use of tax increment for retail incentives.

Mr. Jurgens reported that of the \$1.7 million in the CDRA Fund, \$395,000 was transferred to the Capital Projects Fund to cover projects, which left approximately \$1.362 from the two earlier projects. An exception to the limit on retail was discussed. It was noted that the State Legislature road funding is received annually with the quarter of a quarter tax. Staff will continue to seek additional America Rescue Plan Act (“ARPA”) and grant funding through lobbying efforts. Mr. Tingey stated that as large, new development comes into the City, a Park Impact Fee is imposed to go toward the enhancement and development of parks. It was confirmed that the Park

Impact Fee is required to go toward the purpose for which it is collected. The city council requested future discussion on this issue.

Base Funding proposals were next discussed. Mr. Tingey stated that they are coming into Year Four of the Five-Year Plan of road improvements. A map of projects to be addressed was displayed. He strongly recommended moving forward.

Public Works Director, Matt Shipp, described the differences between asphalt seal coats and slurry seals. The intent was to provide longevity to an already existing road between new asphalt surfaces. Prior to commencing a project, a PCI determination is conducted. Unless otherwise directed by the Council, Mr. Tingey stated that what has been presented will be considered with the Year Five proposal as provided in the Staff Report.

Staff compensation was next presented. Mr. Tingey reported that they will continue the merit program and cost of living considerations. He shared concern with the Valley Emergency Communications Center (“VECC”) Fee reflecting a preliminary increase of 12%, or \$30,000. Discussions will continue as it is not equitable across all communities. The Board considered the proposal addressing non-emergency calls for Cottonwood Height with no objections. He believed this will resolve the current issues by creating a dedicated line to the City and be marketed heavily to residents.

Cost of living considerations included Staff compensation increases of \$575,000 (or 7%) for COLA, \$230,000 for Merit, and \$50,000 (or 5%) for health and dental. The Unified Fire Authority contract will likely be a 5% increase as part of the City’s contract with UFA. The increase was estimated to be \$200,000.

Mr. Tingey reported that \$467,749 remains in the Bonneville Shoreline Trail (“BST”) Grant Fund and may be used for the acquisition of the BST. Funds must be spent by December 31, 2024. He recommended taking a portion of the remaining funds and putting them toward the completion of the Ferguson Trail parking, which is considered part of the BST as a trailhead component. The funding would go toward the shortfall of \$250,000 of the parking area. A map of the area was displayed. Formal consideration by the Council of the proposed \$250,000 is required and will be brought in as part of a budget amendment. Mr. Jurgens stated that the funds are already in the budget and may only require a realignment. It was confirmed that this would complete the Ferguson Canyon Trailhead Project.

Additional funding and consideration priorities were next discussed. For comparison purposes, Mr. Tingey presented aerial photographs of the Public Works yards of surrounding communities. In response to a Council request, he confirmed that the expense to clear the property and build from the ground up would total approximately \$8.9 million, which is \$3 million more than was budgeted. The increase would provide 11 additional bays and an adjustment to the salt shed.

Mr. Jurgens reported that the net debt service is \$422,000 based on a 3% rate, offset by approximately \$44,000 in storage and office space rental that would be eliminated for a new total of \$315,372. The annual debt service payment was reviewed. It was confirmed that an additional \$2 million ARPA payment was expected in June 2022, of which \$800,000 was earmarked for

stormwater projects. Payment options were discussed. Mayor Weichers was in favor of moving forward with the original proposal but expressed hesitancy with removing what exists and starting from scratch. The city council confirmed that they will consider a budget proposal and work toward the bonding process.

Sidewalk improvements were discussed. Mr. Tingey stated that the 1700 East Sidewalk Project has been in the works for two years and is utilized by children walking to school. The Council provided adequate funding the previous year allowing the City to move forward with research, design, and property identification. He confirmed that the grant request was not received for this coming year and improvements will require funding from the General Fund. From a safety perspective, he believed that improvements were sorely needed. The estimate of \$258,192 has the potential of being less pending property acquisition. (The council agreed to consider this proposal in the budget process.)

Mr. Shipp reported that the Bengal Boulevard and Highland Drive Intersection Reconstruction funds have been received. Improvements will include a bicycle lane and multi-use path with a trail to the north connecting with the existing sidewalk. The City has \$20,000 budgeted for the environmental assessment, but to complete the project correctly, preliminary engineering during the environmental phase is needed at an estimated cost of \$90,000. It was confirmed that the match is \$155,000 with an estimate of \$2 million for this project.

The 2600 East Sidewalk Project is a federal aid project and will connect to Tony Circle. Mr. Shipp stated that the City has received the funds, finalized the design, and is ready to go to bid. There is an estimated \$35,000 overage due to recent price increases. Local schools support the project as the location is included in the Safe Routes to School Plan.

Mr. Tingey reviewed the Americans with Disabilities Act (“ADA”) Replacement Program. He stated that there is the potential for the City to be engaged in a program of ADA upgrades and installation with a proposed budget of \$50,000 per year. Depending on the need, this could be used to replace or build between two and 10 ADA ramps per year. It was recommended that the request be included in the budget proposal allowing for the availability of the funds should the City receive a request rather than having to come back for approval. (It was the consensus of the Council that this item be carried forward and a determination is made at the time of the budget proposal.)

The Concrete Replacement Program addressed the need for sidewalks, curb, and gutter. Mr. Tingey explained that these improvements can be paid through the Storm Water Program and recommended it be included in the budget in the amount of \$35,000. Presently, there is a 50/50 Reimbursement Program in place that is available to residents for use on sidewalk improvement cost-sharing.

It was noted that waterway replacement is a large project in the City that is used to identify the repair or replacement of existing waterways. Upgrading to a minimum standard would require a budget of \$30,000 and allow the replacement of two per year.

Mr. Shipp stated that there is a need to replace old street signs and upgrade poles and signs to a standard throughout the City. Staff recommended starting by replacing 100 signs per year at a cost of \$25,000, or an additional \$17,000 to the already \$8,000 signage budget. The sign replacement is reactive and would turn into a proactive approach. It was the consensus of the Council that this item be added to the budget request and a determination made at a later date.

Traffic calming issues were next reviewed. Mr. Shipp stated that there is a traffic calming application to residents but no current budget for implementation should a resident apply. When residents apply for traffic calming in their neighborhood, a speed study is conducted and recommendations are made. Traffic calming can range from simple striping to complete changes to a road, which makes it difficult to determine a budget. Staff recommended starting with \$35,000, which would cover up to six-speed tables and/or interactive radar signs and the cost of the existing speed radar signs on the cloud for access and use. Opposition to speed bumps was expressed. Mr. Tingey confirmed that the matter will be included in the budget request.

Mr. Tingey stated that the 2300 East sidewalk along the west side requires further evaluation. The request is for approximately 2,700 linear feet of curb, gutter, and sidewalk that begins at Praxair and ends at the I-215 boundary. This also includes ADA ramps, signs, waterways, and stormwater inlets at an estimated cost of \$480,000. Council consensus was to seek further grant possibilities for this project.

The Old Mill Bridge Maintenance Project was next discussed. A visual photograph of the bridge was displayed. Mr. Shipp stated that the bridge is in need of maintenance at an anticipated cost of \$8,500. Council Members were open to the possibility of providing materials and opening up the project to volunteer groups.

Mr. Tingey stated that a major security issue occurred in the City of Clearfield the previous year where a hack and ransom security breach caused their entire system to crash for four days. Upon further research, Staff found implementation measures to protect the IT system from cyberattacks at an estimated cost of \$58,000. IT Staff indicated that cyber insurance is available but emphasized the need to implement steps to prevent an event. It was also recommended that Security Information and Event Management (“SIEM”), an Artificial Intelligence (“AI”) program that tracks all actions, be included with improvements. It would also allow the immediate shut down of a breach with the possibility of affecting only a small percentage rather than the entire City. He confirmed that the cost of recovery would be greatly reduced, which can often be more than the actual ransom itself.

Mayor Weichers supported implementing security measures and encouraged dual authentication for not only the Police Department but all employees.

Mr. Tingey next stated that Ben Hill from the Cottonwood Heights Parks and Recreation Service Area will provide updates to their partnership at the next City Council Meeting. A portion of ARPA funding will be used toward the loss of revenues during COVID. Rather than using it toward operations, the preference was that it go toward capital projects. Antczak Park improvements were anticipated at a cost of \$85,000 more than originally budgeted. Mr. Hill requested that the City utilize the \$85,000 taken from the \$2 million expected in June 2022. Plans

include tennis court relocation and replacement, three pickleball courts, demolition, and work to create walking paths. Mr. Tingey confirmed that discussion will continue at a upcoming City Council Meeting.

The Target Hillside Project was to be presented in a future CDRA Meeting and Staff believed it could be funded with the \$1.7 million under the CDRA funds in the old project areas. A property map was displayed. Access to the project was considered.

Mr. Tingey reported that each year the Council has discussed a fourth firefighter at Station 116. There are three on shift and the addition of a fourth would come at a cost of \$400,000. Staff believed it was not something they could recommend at this time and the city council determined it would not be pursued this year.

The Council took a short break.

Legislative Policy options were next considered. Mr. Tingey stated that there are a number of Codes that Staff would prefer to move forward. A list was presented. Chapter 14 Code revisions consider amending Ordinance 14.04.090 Section F related to maximum acceptable speeds on City streets and roadways. Slower speeds and modified road design standards may help reduce vehicular injuries and fatalities. Council Member Birrell presented a slide and wished to consider the survivability of auto-pedestrian accidents and auto to auto accidents at speeds over 30 miles per hour. Slower speeds throughout the City are vital. She believed that if they are going to send a signal to the Utah Department of Transportation (“UDOT”) this should be a priority and discussed at the next work meeting.

Mayor Weichers believed that as a Council, they have the responsibility of keeping residents safe and slower speeds within the City are relevant and worthy of discussion. Because the arterial roads are already maxed at 40 MPH limits outside of Wasatch Boulevard, there is no reason to have Ordinance language allowing an increase of speeds to 50 MPH. Mr. Tingey confirmed that the Code will be reviewed and brought back over the course of the year.

Council Member Birrell believed that if they are going send a signal to UDOT, this should be a priority and discussed at the next meeting prior to UDOT making a Record of Decision. She believed there is no section of residential area in greater need of a slower speed limit than the Golden Hills Corridor. She encouraged the creation of a long-term plan to alter road design allowing for less concrete and more landscape. Mr. Tingey confirmed that Chapter 14 language regarding speed could be placed on a Work Session agenda item if directed. Council Member Bracken believed that UDOT is aware of the City’s concern along Wasatch Boulevard. The argument was the reason State roads are to provide access between municipalities.

Mr. Shipp asked for additional time to reevaluate the rules for speed and confirmed that speed is controlled by the design of the road rather than a posted speed limit. He emphasized that a road design change comes at a great cost. Roads within the City in need of a speed limit change were reviewed. The council consensus was to bring this item back to a city council work session for further review.

Consideration of on-street parking permit code changes were forthcoming. Mr. Tingey stated that there have been a number of issues of concern regarding limiting public rights-of-way. Council Member Newell believed they may be setting a precedent by opening the request up for permit parking and utilizing other past acceptances. Enforcement issues were discussed.

Council Member Birrell suggested possible metered parking and was opposed to permit parking. Council Member Bracken preferred no parking to permit parking as it makes it equal for everyone. Chief Russo was opposed to permit parking only as they are maintained and funded through taxes that are paid by all residents. He felt that it creates an entitlement for one and not another. It was confirmed that Staff will bring forward a proposal to eliminate permit parking.

Mr. Tingey next reviewed Title 8, Nuisance Animal minor modifications to animals in vehicles policy. Chief Russo and Staff, along with Mr. Topham, evaluated the nuisance ordinance and felt it was appropriate with the exception of one issue. Chief Russo explained that there is a remedy for nuisance issues and believed the City has a strong ordinance in place with exception of pet owners leaving animals in cars in hot weather. The modification would allow emergency responders to act without the threat of litigation. The council agreed to bring the item forward at a future city council meeting.

The Sensitive Lands and Riparian Preliminary Ordinance draft was complete with Staff anticipating an introduction to the Planning Commission in early 2022. Mr. Johnson reported that it is a technical update to the Sensitive Lands Ordinance to ensure that academic information and study requirements for technical engineering are up to date. The Riparian Ordinance deals with areas around creeks to protect their integrity over time. He confirmed that land disturbance language and limitations will be included.

The Business License Ordinance was to be updated and include significant changes. Mr. Tingey stated it will be brought to the Council over the course of work meetings.

Mr. Tingey next presented the Climate Change Resolution. Mr. Johnson remarked there is a Sustainability Resolution in place signed by the City Council several years back detailing goals to move City operations to renewable energy sources by a certain date.

Council Member Birrell recommended the Climate Change Resolution be considered over the course of the year and acknowledged the Governor's concern with being in a State of Emergency drought. The Resolution would confirm Cottonwood Heights' knowledge of the situation and formally recognize the need for the following:

- Water conservation;
- Less destructive transportation alternatives for locals and visitors;
- Continuing home officing;
- Considering narrowing streets to induce slower speeds for safety;
- Air quality;
- Soil quality;
- Lower summer temperatures; and

- Better financial sustainability for the City.

Council Member Bracken stated that his suggestions categorize climate change issues under sustainability or goals. He believed the term “climate change” may be too charged for most. Mayors Weichers agreed to make it more of a Sustainability Resolution and frame a paragraph to create a positive response with realistic goals and expectations. This item will be brought to a city council meeting for further discussion.

Mr. Tingey next presented a request from Council Member Birrell to modify the Executive Summary for Wasatch Boulevard Master Plan. Council Member Birrell reported that the challenge comes from UDOT Project Manager, John Thomas, who stated that the Master Plan and Executive Summary are too vague. Council Member Birrell emphasized that if the road is not redesigned to be more narrow and limit private vehicles, speeds will remain of concern. The Wasatch Boulevard Master Plan language states that during peak hours all lanes can be used by private vehicles inducing demand and raising speeds. She stated that they are under a time constraint and encouraged them to come forward with an Executive Summary. In 2019, Carlos Bracerias agreed to a Gateway Facility Design that would create slower speeds but left his employ with UDOT in November 2019. A New Project Manager and addendum showed a highway design. She encouraged the Council’s immediate attention.

Mr. Johnson stated that the Wasatch Boulevard Master Plan reiterates speed reduction by proposing roundabouts, landscaped medians, shared-use paths and other design recommendations. The plan focused on changing the design speed of the road through the design process and does not provide a specific speed. He stated that because of the Wasatch Boulevard Master Plan, UDOT commissioned a Corridor Aesthetics Plan. It was his understanding that UDOT intended to look at Wasatch Boulevard differently than other arterial roads to create a more aesthetic boulevard-type feel. An updated letter from Josh Van Jura from UDOT was sent to the City confirming they will work with the City to implement the design standards during the design phase of the Environmental Impact Study (“EIS”). Renderings of the plan were displayed. UDOT has stated that at least through Cottonwood Heights, the shoulders would not be utilized for continuous bus service. They would instead use the turn lanes as a preemptive measure to pass through the queue at stoplights. A potential sound wall was discussed. Mr. Johnson confirmed that the matter would be brought back for further discussion in a Work Session.

Mr. Tingey stated that the Landscaping Ordinance was modified for both commercial and residential landscape standards to encourage water-wise landscaping and to remain eligible for Landscape Reimbursement Funds. The Central Utah Water District implemented an incentive program for residents who re-landscape their yards or park strips to their standards. In exchange, they will reimburse a portion of those expenses. A list of requirements was provided to the City for them to remain eligible for the reimbursement.

Initiatives Research was next reviewed. Mr. Tingey reported that the City Council previously requested that research be conducted on Police Advisory Committees. State requirements prohibit these types of committees from being an oversight committee. Staff conducted research and identified the following three categories:

- The broad advisory role includes communication bridge, broad issue review, and may include insight on protocols;
- The Advisory Review role includes assessing citizen input and complaints in use of force issues; and
- The general public safety role includes Fire and Police.

Council input was invited. Mayor Weichers recommended acquiring additional data prior to implementation. Council Member Newell believed that an Advisory Committee offers support and provides opportunities for greater transparency and dialogue. A messenger can provide information to citizens, allow mitigation, and be productive without confrontation.

Chief Russo stated that the Police Department takes part in a Citizens Academy where citizens are recruited from the community to participate in various aspects of policing. The program runs 10 to 12 weeks and results in advocates for the Police Department. Council Member Birrell was in favor of the Police Advisory Committee. It was the consensus of the Council that the item be moved forward to a future city council meeting for further discussion.

Mr. Tingey presented the Vulnerable Citizen Registry, which provides an opportunity for citizens with vulnerable family members to be registered. When there is an incident, emergency responders will be alerted and react appropriately. Council Member Newell stated that a County-wide system is in place but believed that a private City program would be beneficial. Chief Russo confirmed that the City registry is already in place and training is being provided to ensure that officers have a different skillset and use a different approach when responding to those with vulnerability issues. A social worker is called to the scene along with the police officer and has created a very effective program. It was his desire to have a full-time employee in a mental health unit working alongside the social worker to provide service and follow-up. Notification will be provided to residents along with a non-emergency Police Department contact.

Funding options for Old County Urban-Renewal Areas were to be discussed at a later date.

Mr. Tingey reported that community open houses for the General Plan are being scheduled for March 3, 2022. Staff may pursue a joint Planning Commission and City Council Work Session. Adoption was anticipated toward the end of 2022.

Finalize Community Reinvestment Areas (“CRA”) proposal discussions were to continue and include the gravel pit area and Hillside area of Fort Union Boulevard. Mr. Tingey reported that an Interlocal Agreement with the taxing entities must be implemented. It can be an intensive and overwhelming process and these are typically 20-year plans. Additional details were to be provided during a future CDRA meeting.

Mr. Johnson confirmed that the gravel pit development is currently in the planned preparation process and they are preparing engineering cross-sections of stormwater design.

Transportation Master Plan updates on the planning process were to be provided at the second meeting in March 2022.

Council Member Birrell reviewed the Economic Development Research regarding the current office space occupancy levels in the City. She believed it would be useful to understand the City's office occupancy with the addition of the gravel pit office space as they envision Cottonwood Heights moving forward. Mr. Johnson confirmed that the City has already received a grant through the WFRC for the completion of a Business Impact Study mid-pandemic. Results were to be provided in the near future.

It was reported that the Fort Union Master Plan was adopted in 2017. Council Member Birrell suggested that their focus remain on slowing down traffic on Fort Union Boulevard and creating a main street feeling to get locals and visitors out of their cars and patronizing area businesses.

The Council discussed the potential for commissioning a Pavement Use Study to analyze the acreage in Cottonwood Heights in parking lots, roadways, and street parking. It was suggested that they consider during future reconstruction the return of wider streets to soil and greenery to reduce maintenance costs, snow clearing, salting, and pressure on stormwater. Mr. Shipp pointed out that the Storm Water Study included impervious surfaces. A map depicting those locations within the City was available upon request. The unintended consequences for narrowing a road were described.

Mayor Weichers reported that Council Member Birrell was appointed as an alternate to the Utah Transit Authority ("UTA") Local Advisory Council. This role will enable her to have a voice in improving transportation. Council Member Birrell shared the idea of creating opportunities for locals to leave their cars and patronize businesses along Fort Union Boulevard by way of a shuttle with a trolley feel. The plan would promote regional bus service along the east bench. They will actively advocate with Salt Lake County, Sandy, UDOT, UTA, and the WFRC for north and south non-stop commuter access. It was suggested that the City launch a pilot program using UTA buses based on Highland Drive to I-215 to a Foothill Drive route that could be phased in to avoid Wasatch Boulevard becoming another UDOT fast-moving, highway design arterial.

Mr. Tingey stated that Salt Lake County previously met with Staff and expressed interest in deeding ownership of the two fire stations in the City. Discussions would continue upon completion of the seismic retrofits.

Staff confirmed that park ownership and the deeding of Butler Park and Mill Hollow were also considered during that meeting. Mill Hollow has since been deeded to the City who is currently maintaining the property. Butler Park included multiple issues related to water rights. Discussions were ongoing.

Mr. Tingey reported that the Chamber of Commerce requested that the City join at a cost but declined as the current work with the Business Association is meeting their needs.

Mayor Weichers expressed appreciation and gratitude to those present for their efforts and believed this was a very productive meeting.

7. **Adjourn.**

MOTION: Council Member Birrell moved to adjourn. The motion was seconded by Council Member Newell. The motion passed with the unanimous consent of the Council.

The City Council Retreat adjourned at 5:40 p.m.

I hereby certify that the foregoing represents a true, accurate, and complete record of the Cottonwood Heights City Council Retreat held Tuesday, January 25, 2022.

Paula Melgar

City Recorder

Minutes Approved: March 22, 2022